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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,471	07/01/2003	Reiko Ueno	OGOH : 123A	1068
27890	7590	06/19/2006	EXAMINER REILLY, SEAN M	
STEPTOE & JOHNSON LLP 1330 CONNECTICUT AVENUE, N.W. WASHINGTON, DC 20036			ART UNIT 2153	
PAPER NUMBER				
DATE MAILED: 06/19/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/609,471	Applicant(s) UENO ET AL.	
	Examiner Sean Reilly	Art Unit 2153	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 March 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This application has been assigned to another Examiner.

This Office action is in response to Applicant's amendment and request for reconsideration filed on March 13, 2006. Claims 11-20 are presented for further examination.

All independent claims have been amended.

#### ***Priority***

1. The request for a certified translation is withdrawn.

#### ***Specification***

2. Applicant's amendments to the specification as submitted on March 13, 2006 are accepted and entered into the record.

#### ***Double Patenting***

3. The terminal disclaimer submitted on March 13, 2006 is accepted. Accordingly all outstanding double patenting rejections are withdrawn.

#### ***Response to Arguments***

4. Applicant's sole argument is that Maciel failed to disclose various claim features *in a home bus system comprising electric household appliances*. Whether or not Maciel disclosed any of the claimed features *in a home bus system comprising electric household appliances* is irrelevant. This newly added claim language is merely intended use and therefore is not given patentable

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weight. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Thus, all previous prior art rejections set forth in the non-final rejection mailed December 13, 2005 are **MAINTAINED**. Note Applicant's amendments to the claims have overcome all objections and 112 2<sup>nd</sup> ¶ rejections.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 11 is rejected under 35 U.S.C. 102(b) as being anticipated by **Maciel et al (US 6,112,248)**, hereinafter **Maciel**.

3. In considering independent claim 11, Maciel discloses a method of routing data through a router connected to a plurality of networks, the method comprising:

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- transmitting all data for a network (fig. 1, #2 & #5) other than a first network (fig. 1, #1) only to a particular router (3a, “data processing device”) which is one router among a plurality of routers connected to the first network [col. 1, lines 22-33, 41-52, col. 2, lines 18-36];

4. Claim 11 is rejected under 35 U.S.C. 102(e) as being anticipated by **Basso et al. (US 6,658,481)**, hereinafter Basso.

5. In considering independent claim 11, Basso discloses a method of routing data through a router connected to a plurality of networks, the method comprising:

- transmitting all data for a network (fig. 2, #40a & 40b) other than a first network (fig. 2, #30) only to a particular router (fig. 2, R5) which is one router among a plurality of routers connected to the first network [col. 1, lines 31-38];

6. Claims 12, 13, 15, 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by **Balassanian (US 2005/0021857)**, hereinafter Balassanian.

7. In considering independent claim 12, Balassanian discloses an appliance connected to a first network among a plurality of networks, the appliance comprising:

- means for stipulating a particular router (“network address of gateway”) among a plurality of routers (“series of hops”) connected to the first network (fig. 1b, #160, WAN) [¶0037, ¶0048]; and

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- means for transmitting all data for a network other than the first network (fig. 1b, #195, LAN) to the particular router (fig. 1b, #165, “gateway”) [¶0037, ¶0048].

8. In considering independent claims **13 & 15**, Balassanian discloses a method of transmitting data from an appliance connected to a first network among a plurality of networks, the method comprising:

- transmitting data for a network other than the first network (fig. 1b, #195, LAN) only to a particular router (fig. 1b, #165, “gateway”) which is one router among a plurality of routers (“series of hops”) connected to the first network (fig. 1b, #160, WAN) [¶0037, ¶0048]., wherein,
- the data comprises identification information of the particular router (“network address of gateway”) as address information within the first network [¶0037, ¶0048].

9. In considering independent claim **17**, Balassanian discloses a method of transmitting data from a first appliance connected to a first network among a plurality of networks, the first appliance having identification information indicating the first network, the method comprising:

- stipulating a particular router (“network address of gateway”) among a plurality of routers (“series of hops”) connected to the first network(fig. 1b, #160, WAN) [¶0037, ¶0048]; and
- transmitting data for a second appliance (fig. 1b, #175-190) having identification information indicating a network different from the first network (fig. 1b, #195, LAN) only to the particular router (fig. 1b, #165, “gateway”) [¶0037, ¶0048].

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10. In considering claims **18 & 20**, Balassanian discloses:

- transmitting data for a third appliance having identification information indicating a network same as the first network directly to the third appliance [fig. 8, step 815, ¶0045, claim 1].

11. In considering independent claim **19**, Balassanian discloses an appliance connected to a first network among a plurality of networks, the appliance comprising:

- means for holding identification information of the first network [fig. 2, “Table of Known Appliances, ¶0037];
- means for stipulating a plurality router (“network address of gateway”) among a plurality of routers (“series of hops”) connected to the first network (fig. 1b, #165, WAN) [¶0037, ¶0048]; and
- means for transmitting data for a second appliance (fig. 1b, #175-190) having identification information indicating a network different from the first network (fig. 1b, #195, LAN) only to the particular router (fig. 1b, #165, “gateway”) [¶0048].

### ***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims **14 & 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Balassanian**, further in view of **Teraoka (US 6,292,836)**.

14. In considering claims **14 & 16**, while Balassanian discloses a method of transmitting data from a first network to another network via a router, Balassanian does not explicitly disclose the detailed contents of the data. Nonetheless in analogous art, Teraoka discloses a method of transmitting data from a first network to another network via a router (fig. 1, col. 4, lines 22-34).

Teraoka further discloses:

- the data further comprises transmitter identification information comprising identification information of a network of the appliance (“transmitting host address”) and identification information of the appliance (“transmitting host identifier”) and receiver identification information comprising identification information of a network of a transmitting end appliance (“receiving host address”) and identification information of the transmitting end appliance (“receiving host identifier”) [fig.2, col. 4, lines 22-34].; and
- the transmitter identification information and the receiver identification information are provided in a data region (“header”) of the data [fig.2, col. 4, lines 22-34].

Given the teachings of Teraoka, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the system/method disclosed by Balassanian where a data region of the data would contain identification information. The motivation, as suggested by Teraoka, would be so that the identification information could be read by the routers transited by the data and forwarded to the appropriate destination [col. 4, lines 22-34].



*Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

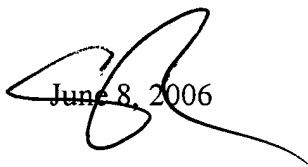
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Reilly whose telephone number is 571-272-4228. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
June 8, 2006

  
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